

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 7270

Joint Petition of Verizon New England)
Inc.,d/b/a Verizon Vermont, certain affiliates)
thereof, and FairPoint Communications, Inc. for)
approval of an asset transfer, acquisition of)
control by merger and associated transactions)

Order entered: 12/10/2008

ORDER RE: EXTENSION OF TIME TO FILE RAPID RESPONSE TEAM PROPOSAL

Paragraph 72 of Attachment 1 to the Certificate of Public Good, and corresponding Paragraph 77 to the Public Service Board's ("Board") Order dated February 15, 2008, required Telephone Operating Company of Vermont LLC, d/b/a FairPoint Communications ("FairPoint"), to file a proposal with the Board by October 1, 2008, for a "Rapid Response Team" to address potential issues with services provided to wholesale customers arising from the transition from Verizon New England Inc.,d/b/a Verizon Vermont ("Verizon"), to FairPoint. On October 1, 2008, FairPoint requested an extension of this deadline until March 13, 2009. FairPoint states that it continues to work cooperatively with its wholesale customers in connection with preparing for cutover and addressing issues, including the conduct of user forums and the cutover collaborative sessions that are regularly held. In addition, FairPoint notes that our February 15, 2008, Order contemplated filing the proposal approximately two months after the planned cutover, which at that time was expected to occur in July, 2008. Cutover is now scheduled for the end of January 2009.

The Department of Public Service ("Department") agrees that an extension is reasonable, but recommends that the new deadline be December 15, 2008, not March 13, 2009, as requested by FairPoint. The Department believes that there is value in having in place a more expeditious process for dealing with wholesale customer disputes prior to cutover of FairPoint's new operational support systems, currently anticipated to occur at the end of January, 2009. The

Department believes that the period immediately leading up to and following cutover is a period when there is an elevated risk that these disputes will occur. No other party filed comments.

We hereby grant FairPoint an extension of the deadline for filing the proposal for a rapid response team until January 15, 2009. No party opposes some extension of the deadline set out in the Board's Order; the only concern raised was the Department's opposition to the extension until March 2009. However, we are persuaded by the Department, and by the evidence presented during the hearings on November 14 and 21, 2008, on cutover issues, that it is appropriate to have this team in place prior to cutover. As those hearings showed, wholesale customers continue to have concerns about the functionality of FairPoint's services at and immediately after system cutover. Although we concluded that it was appropriate to permit FairPoint to give Verizon notice of cutover readiness, we share some of these concerns. We expect that a rapid response team, in conjunction with FairPoint's other efforts, could help address these issues. However, we do not find it necessary to adopt the December 15, 2008, date recommended by the Department; the January 15, 2009, deadline we establish here will provide FairPoint additional time to develop a proposal before cutover at the end of January.

SO ORDERED.

Dated at Montpelier, Vermont, this 10th day of December, 2008.

<u>s/James Volz</u>)	
)	PUBLIC SERVICE
)	
<u>s/David C. Coen</u>)	BOARD
)	
)	OF VERMONT
<u>s/John D. Burke</u>)	

OFFICE OF THE CLERK

FILED: December 10, 2008

ATTEST: s/Susan M. Hudson
Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)

Appeal of this decision to the Supreme Court of Vermont must be filed with the Clerk of the Board within thirty days. Appeal will not stay the effect of this Order, absent further Order by this Board or appropriate action by the Supreme Court of Vermont. Motions for reconsideration or stay, if any, must be filed with the Clerk of the Board within ten days of the date of this decision and order.